THE HONOURABLE SRI JUSTICE V.ESWARAIAH

Date:28-3-2006

WRIT PETITION No. 23896 OF 2005

BETWEEN:

V.Nageswararao

…Petitioner

And

District Collector, Prakasam District, Ongole and others

…Respondents

ORDER:

The petitioner seeks to issue a writ of mandamus, declaring the action of the respondents in not initiating any action on the complaints including one submitted by the petitioner and ward members of Rachapudi Grampanchayat on 1-9-2005 and the letter addressed by the Panchayat Secretary on 15-10-2005 against the Sarpanch as illegal, irregular and violative of provisions of A.P., Panchayat Raj Act, 1994.

Heard the learned counsel appearing for the petitioner as well as the learned Government Pleader for Panchayat Raj and Rural Development appearing for the respondents.

It is the case of the petitioner that he is the elected member of Rachapudi Gram Panchayat, Ward No.10, Korisapadu Mandal, Prakasam District and himself and other members made a complaint to the District Collector, Ongole alleging that the Sarpanch has mis-appropriated huge funds and requested to take action. It is stated that the said petition was received by the District Panchayat Officer, Ongole, Prakasham District on 1-9-2005 and he requested the Divisional Panchayat Officer to enquire into the contents of the complaint and submit a report with reference to the records. A reminder was also issued on 20-9-2005 to expedite the report, but the report has not been submitted so far.

Having regard to the facts and circumstances of the case, the second respondent is directed to expedite the obtaining of report from the concerned Divisional Panchayat Officer with regard to the complaint of the petitioner dated 1-9-2005 and take appropriate action after giving reasonable opportunity to the Sarpanch of Rachapudi village, Korisapadu Mandal, Prakasam District as well as the petitioner in accordance with law.

The writ petition is disposed of accordingly.

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V.ESWARAIAH, J

Date: 28-3-2006.

Shr.